

No. PD-0527-18

FILED
COURT OF CRIMINAL APPEALS
10/9/2018
DEANA WILLIAMSON, CLERK

**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

JAMES ALLAN BURG II

V.

THE STATE OF TEXAS

On Discretionary Review
from the Ninth Court of Appeals
Beaumont, Texas
No. 09-16-00200-CR

On Appeal from the County Court at Law No. 1
Montgomery County, Texas
Cause No. 15-307592

APPELLANT'S MOTION TO EXTEND TIME TO FILE BRIEF

James Allan Burg II, Appellant, pursuant to TEX. R. APP. P. 10.5(b),
submits this motion to extend time to file a brief on the merits.

I.

On September 12, 2018, this Court granted Appellant's petition for
discretionary review. Appellant's brief is due on October 12, 2018. Appellant

asks this Court to extend the deadline for filing this brief 30 days to November 12, 2018.

II.

In the last 30 days, undersigned counsel has worked on the following cases: *State v. Boudreaux*, cause no. 1590590, in the 177th District Court, Harris County, Texas, felony murder jury trial from September 21, 2018 – October 3, 2018; *Barela v. State*, PD-0580-18, PDR due in this Court on October 15, 2018.

III.

This Court has not previously granted an extension to file this brief. This motion is not made for delay, but to see that justice is done.

Respectfully submitted,

/s/ Matthew J. DeLuca

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CERTIFICATE OF SERVICE

I certify that a copy of this document was served on the following parties
through the efile.txcourts.gov e-filing system on October 5, 2018:

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